

**Bank of America**



December 23, 2004

**Via Facsimile 212.487.0354  
and First Class Mail**

Jack Greenbaum, Esq.  
HEALY & BAILLIE, LLP  
61 Broadway  
New York, New York 10006

**Re: HBC Hamburg Bulk Carriers GmbH & Co. KG  
v. Proteinas y Oleicos S.A. de C.V.,  
U.S. District Court, Southern District of New York,  
Case No. 04 Civ. 6884 (NRB)**

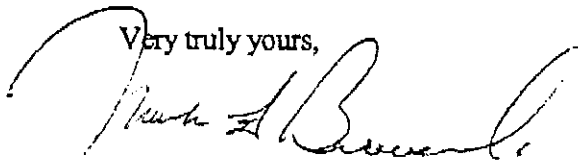
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Dear Mr. Greenberg:

Confirming our telephone conversation of December 22, 2004, it is my understanding the funds of 7 separate wire transfers, which Bank of America, N.A. is presently holding pursuant to the court-ordered Process of Maritime Attachment and Garnishment and pertaining to your client, Proteinas y Oleicos S.A. de C.V., have been placed by Bank of America, N.A. in an interest-bearing suspense account located at the Bank of America Control Center, 121 Moore-Hopkins Lane, Columbia, South Carolina 29210. The balance held as of December 21, 2004 is U.S.\$462,292.26.

I trust this will suffice for your purposes.

Very truly yours,



Mark F. Borowski  
Assistant Vice President;  
Paralegal  
646.313.8139

cc: Lawrence Khan, Esq.  
FREEHILL HOGAN & MAHAR LLP  
80 Pine Street, 24<sup>th</sup> Floor  
New York NY 10005-1759



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